



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.                | CONFIRMATION NO. |
|---|-------------|----------------------|------------------------------------|------------------|
| 10/735,522  | 12/11/2003  | Rebecca C. Weiss     | MSI-1722US                         | 3773             |
| 22801   | 7590        | 12/28/2007           |                                    |                  |
| LEE & HAYES PLLC<br>421 W RIVERSIDE AVENUE SUITE 500<br>SPOKANE, WA 99201 |             |                      | EXAMINER<br>PANTOLIANO JR, RICHARD |                  |
|   |             |                      | ART UNIT                           | PAPER NUMBER     |
|   |             |                      | 2194                               |                  |
|   |             |                      | MAIL DATE                          | DELIVERY MODE    |
|   |             |                      | 12/28/2007                         | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/735,522

Applicant(s)

WEISS ET AL.

Examiner

Richard Pantoliano Jr

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 20070822.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This office action is responsive to amendments filed on **12 October 2007** for Application# **10/735,522**. **Claims 1-31** are currently pending and have been considered below.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 1-6, 10, 11, 13, 15-21, 25, 26, and 28-31** are rejected under 35 U.S.C. 102(b) as being anticipated by Sampat et al (US Pat: 6,279,029), hereinafter Sampat.

4. As to **Claim 1**, Sampat discloses the invention substantially as claimed including a system comprising:

a) one or more computer-readable media , the one or more computer readable media including (Col. 37, lines 47-59):

i) a presentation that includes media content, the media content comprising at least one of audio and video content (Col. 4, lines 7-23) (The

received audio and video data from the camera, the antenna, and the VCR; meet the claim limitation);

ii) a media engine to obtain input information from the media content, the input information including a descriptor and media type information (Col. 8, lines 58-63) (The media services manager (MSM) of the server determines to which channels (the media type) each input should be inserted);

iii) a destination object to receive the input information from the media engine, the destination object further selectively associates the input information with one or more output presentation descriptors, and to provide the one or more output descriptors to the media engine (Col. 9, lines 9 – 28) (Based on the inputs received, the MSM determines to which Media Service Provider (MSP) sinks data should be sent and outputs this in the form of channel information that is delivered to the client); and

iv) an application to provide the presentation to an output target, the application further configured to create the media engine and the destination object (Col. 8, lines 46-58 and Col. 11, lines 49-53) (The “server application” allows the administrator to initialize and configure the server software architecture, thereby meeting the claim limitation),

v) wherein the media engine is further configured to obtain at least one transform and setup at least one media sink based on the one or more output presentation descriptors to process the presentation for output to the output target (Col. 7, line 62—Col. 8, line 4 and Col. 9, lines 40 – 58) (The MSM

combines the audio and video data as necessary to form channels, thereby meeting the limitation of a transform. Further, the server application communicates with the MSM to setup MSP sinks)

5. As to **Claim 2**, Sampat further teaches wherein the destination object exposes an application program interface that is used by the application to interact directly with the destination object (Col. 8, lines 33-45) (The Real-Time Media Services Application Programming Interface (RMS API) exposed by the MSM meets this claim limitation).

6. As to **Claim 3**, Sampat further teaches wherein the destination object defines where and how the presentation is to be presented (Col. 8, lines 46-60).

7. As to **Claim 4**, Sampat further teaches wherein the destination object provides output presentation descriptors in the form of an information object. (Col. 9, lines 29-40 and Col. 13, line 62 – Col. 14, line 55).

8. As to **Claim 5**, Sampat further teaches wherein the destination object is to receive information associating an input media stream with a presentation output media stream (Col. 8, lines 46-60).

9. As to **Claim 6**, Sampat further teaches wherein the destination object contains a plurality of sub-destination objects, each sub-destination objects being related to an

output media stream to be presented in the presentation (Col. 9, lines 11-40) (The media service providers (MSPs) meet this claim limitation).

10. As to **Claim 10**, Sampat further teaches wherein the destination object resides in a computing device and the media sink component resides in another computing device (Col. 9, lines 1-67 and Col. 13, line 62 – Col. 14, line 55).

11. As to **Claim 11**, Sampat further teaches wherein the destination object is to selectively provide information to the media engine related to a presentation clock that allows the application to control the presentation independently of other media content being presented in the presentation (Col. 11, lines 1-36).

12. As to **Claim 13**, Sampat further teaches wherein the destination object exposes an application program interface (API) that is selectively used by the application to change how many sub-components are contained in the component (Col. 8, lines 46-60 and Col. 9, lines 11-40).

13. As to **Claim 28**, Sampat further teaches wherein the destination object is to selectively provide a series of output presentation descriptors to the media engine for a series of presentations that occur during a session (Col. 5, lines 35-50 and Col. 7, lines 40-61).

14. As to **Claim 29**, Sampat further teaches wherein the destination object selectively provides the output presentation descriptors multiple times as part of the series of output presentation descriptors (Col. 5, lines 35-50 and Col. 7, lines 40-61).

15. As per **Claim 30**, Sampat further teaches wherein the destination object is to signal the media engine that a connection or change therein has occurred between the computing devices (Col. 20, lines 30-55).

16. As to **Claim 31**, Sampat further teaches wherein the destination object is to receive information associating an input media stream with a presentation output media stream without involvement of the application (Col. 7, line 47 – Col. 8, line 32).

17. As to **Claim 15**, Sampat discloses the invention substantially as claimed including a method for use by an application in presenting a presentation, the method comprising:

a) selectively providing input information describing media content to be presented in the presentation to a destination object in response to an operation by a media engine (Col. 10, lines 54 – 67) (The Media Service Manager (MSM) can selectively enable and disable audio and video Media Service Providers (MSPs) that feed it the data that will be outputted to clients. When enabled, the MSPs feed the data

streams into the MSM, which will then place the data in the necessary channels to be delivered to clients);

b) selectively associating the input information with output information using the destination object, the output information enabling the transformation of the presentation for output to an output target (Col. 9, lines 9 – 28) (Based on the inputs received, the MSM determines to which Media Service Provider (MSP) sinks data should be sent and outputs this in the form of channel information that is delivered to the client); and

c) providing output information from the destination object to the media engine (since the MSM is both the destination object and the media engine, the fact that it is determining to where information should be outputted meets this claim limitation),

d) wherein the media engine provides the presentation to the output target without requiring further interaction with the application by selectively obtaining one or more transforms and setting up one or more media sinks based on the output information (Col. 8, line 57- Col. 9, line 40) (The transformation of the data from the MSP sources into channels and transmitting those channels to the appropriate sinks by the MSM meets this claim limitation).

18. As to **Claim 16**, Sampat further comprising exposing an application program interface that is used by the application to interact indirectly with the media sinks of the media engine (Col. 8, lines 33-45; Col. 9, lines 29-40 and Col. 13, line 62 – Col. 14, line 55).



19. As to **Claim 17**, Sampat further teaches wherein the destination object contains output information used by the media engine to determine where the presentation is to be presented (Col. 8, lines 46-60).

20. As to **Claim 18**, Sampat further teaches wherein the output information includes an output information object. (Col. 9, lines 29-40 and Col. 13, line 62 – Col. 14, line 55).

21. As to **Claim 19**, Sampat further teaches wherein selectively associating the input information with output information includes associating an input media stream with a presentation output media stream to be presented in the presentation (Col. 8, lines 46-60).

22. As to **Claim 20**, Sampat further teaches wherein selectively associating the input information with output information includes obtaining output information related to a plurality of output media streams for which a given input media stream is intended in response to a request from the media engine and returning a collection of the obtained information to the media engine (Col. 11, line 42 – Col. 12, line 65).

23. As to **Claim 21**, Sampat further teaches changing the number of output media streams are present in the plurality of output media streams in response to an operation by the application (Col. 8, lines 46-60) (The server application can communicate with

the MSM to control what "channels" are sent out to the client applications, thereby meeting this claim limitation).

24. As to **Claim 25**, Sampat further teaches wherein the presentation is presented in a client device and the application resides in a server device (Col. 8, lines 46-60) (The server executes the control application and directs the presentation over the network, thereby meeting this claim limitation).

25. As to **Claim 26**, Sampat further teaches wherein selectively providing output information to the media engine includes providing a presentation clock that enables the application to control the presentation independently of other media content being presented in the presentation (Col. 11, lines 1-36).

***Claim Rejections - 35 USC § 103***

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. **Claims 7-9 and 22-24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampat in view of Bhola et al (US Pat: 6,321,252), hereinafter Bhola.

28. As to **Claim 7**, while Sampat teaches the system of **Claim 1**, Sampat does not explicitly teach wherein the output presentation descriptors in the destination object can be changed while the presentation is being presented.

29. Bhola explicitly teaches wherein information contained in a component can be changed while the presentation is being presented. (Col. 4, lines 35-67; Col. 6, lines 6-57; and Col. 7, lines 14-35). When combined with the teachings of Sampat, the limitation would be met.

30. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system disclosed by Sampat with the teachings disclosed by Bhola. One would have been motivated by the fact that the data being streamed over the network can be both produced and consumed in real-time, therefore requiring that the system be aware of all changes being made within the system to allow for updates to be broadcast to all clients within the system (Bhola; Col. 1, line 40 – Col. 2, line 4).

31. As to **Claim 8**, Sampat further teaches wherein the destination object is to signal the media engine that output presentation descriptors in the destination object is being changed (Col. 8, lines 46-60).

32. As to **Claim 9**, wherein the destination object is to selectively signal the media engine in response to an operation by the application (Col. 8, lines 46-60).

33. As to **Claims 22-24**, these claims are rejected for the same reasoning as applied to **Claims 7-9 and 15**, above.

34. **Claims 12 and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sampat in view of An et al (US Pat: 6,694,368), hereinafter An.

35. As to **Claim 12**, Sampat further teaches wherein the destination object exposes an application program interface (API) implementing a method that is defined to have an output argument that is a pointer to an object containing information regarding where and how media content is to be presented (Col. 7, line 47 – Col. 8, line 32; Col. 8, lines 46-60; and Col. 9, lines 41-60).

36. Sampat does not explicitly teach:

a) an input argument that is a pointer to a descriptor of a stream of media content to be presented in the presentation; and

b) another input argument that is a pointer to a media type to be used in presenting the stream of media content.

37. An explicitly teaches the limitations cited above (Col. 8, lines 6 – 51).

38. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system disclosed by Sampat with the teachings of An. One would have been motivated by the fact that the Data Link Manager (DLM) disclosed by Sampat (Col. 18, lines 21-30; Col. 19, lines 5-52) would implicitly require the above cited parameters in order to deliver the streams over the correct network device.

39. As to **Claim 27**, this claim is rejected for the same reasoning as applied to **Claims 12 and 15**.

40. **Claim 14** is rejected under 35 U.S.C. 103(a) as being unpatentable over Sampat in view of Meza (US PGPub: 2004/0073912).

41. As to **Claim 14**, Sampat does not explicitly disclose wherein the destination object is to selectively provide output presentation descriptors for subsequent presentations originating from the media source in a "timeline"-style presentation.

42. Meza explicitly discloses wherein the component is to selectively provide outputs for subsequent presentations originating from the media source in a "timeline"-style presentation (para. [0122]) (The displaying of multiple data streams in a predetermined order meets this claim limitation).

43. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the system disclosed by Sampat with the teachings of Meza. One would have been motivated by the need to organize the received data in such a way as to allow for the user to easily follow the presentation. While the ability to have audio, video, and text displayed at the same time (Sampat: Col. 1, lines 27 – 49) may be manageable for a user, having multiple different video, audio, and text streams displayed at the same time would be overwhelming for an individual to follow. Allowing

the presentations to be made in a specified order allows for the overall presentation to be made in a more comprehensible manner for the user.

### ***Response to Arguments***

44. Applicant's arguments with respect to **claims 1-31** have been considered but are moot in view of the new ground(s) of rejection.

45. Examiner has cited particular columns and line numbers and/or figures in the references as applied to the claims for the convenience of the applicant. Applicant is reminded that rejections are based on references as a whole and not just the cited passages. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the cited art or disclosed by the examiner.

### ***Conclusion***

46. The prior art made of record on the P.T.O. 892 that has not relied upon is considered pertinent to applicant's disclosure. Careful consideration of the cited art is required prior to responding to this Office Action, see 37 C.F.R. 1.111(c).

47. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

48. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

#### ***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Richard Pantoliano Jr whose telephone number is (571) 270-1049 and whose direct fax number is (571) 270-2049. The examiner can normally be reached on Monday-Thursday, 8am - 4 pm EST. Please note that a request for an interview in regard to the present application should be accompanied by a written agenda (including proposed amendments, if available, and specific issues to be discussed) sent to the fax number cited above.


Application/Control Number:  
10/735,522  
Art Unit: 2194

Page 15

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571)272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RP  
12/19/2007

  
WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER